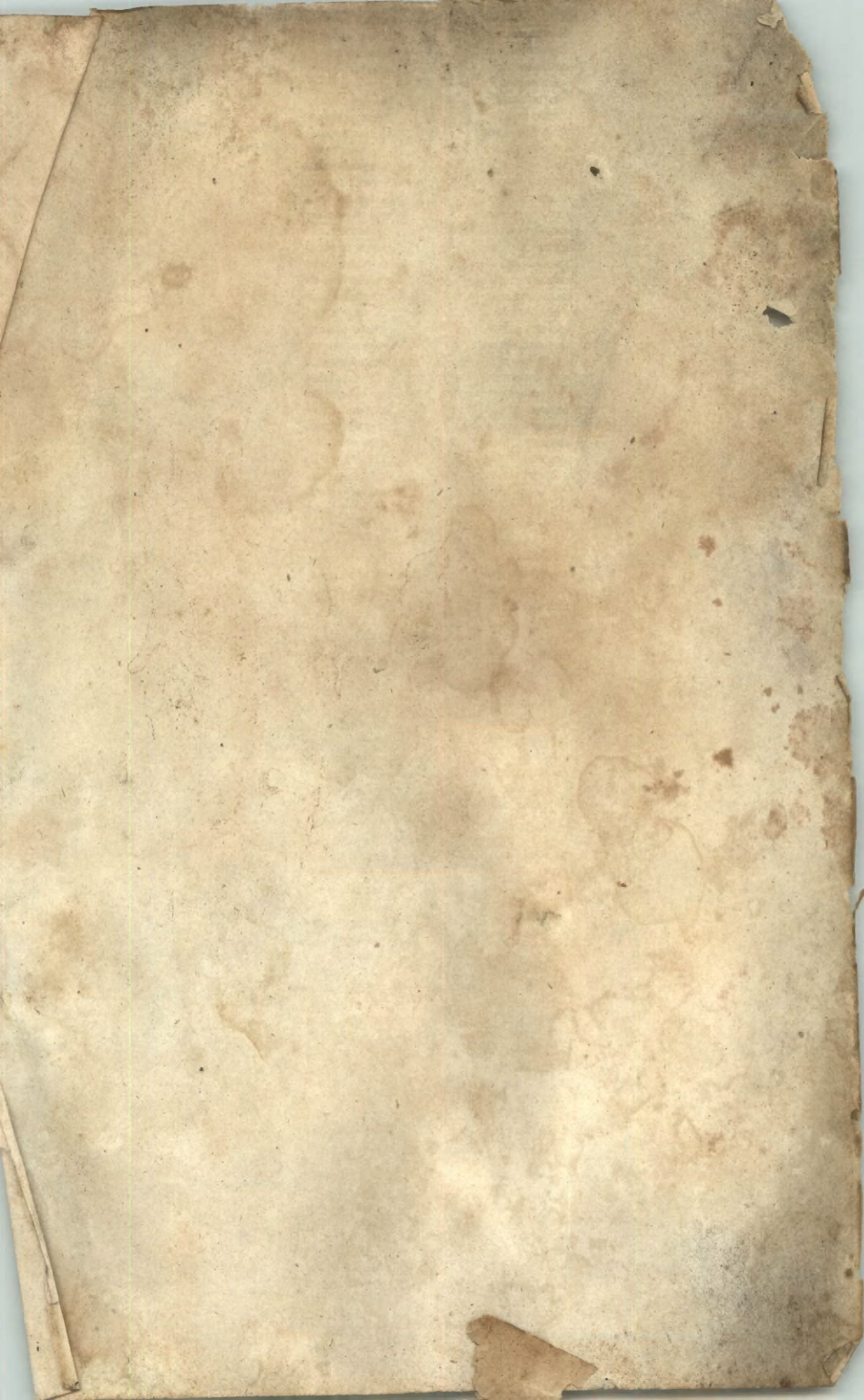


JOURNALS
OF THE
SENATE AND HOUSE,
JUNE SESSION,
1840.

CONCORD,
CYRUS BARTON, State Printer.
1840.





JOURNAL
OF THE
HONORABLE SENATE,
OF THE
STATE OF NEW HAMPSHIRE,

AT THEIR SESSION
HOLDEN AT THE CAPITOL IN CONCORD,
COMMENCING

WEDNESDAY, JUNE 3, 1840.

PUBLISHED IN CONFORMITY TO LAW.

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HONORABLE SENATE,

JUNE SESSION, 1840.

WEDNESDAY, JUNE 3, 1840.

This being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble, the following persons, elected Senators, appearing, took and subscribed the oaths of office, agreeably to the provisions of the Constitution—viz :

From District No. 1—Hon. JAMES PICKERING,
No. 2—Hon. JAMES B. CREIGHTON,
No. 3—Hon. DAVID A. GREGG,
No. 4—Hon. PETER RENTON,
No. 5—Hon. GEORGE NUTTER,
No. 6—Hon. JOHN COMERFORD,
No. 7—Hon. DANIEL ADAMS,
No. 8—Hon. ABRAM BROWN,
No. 9—Hon. ELIJAH BELDINE,
No. 10—Hon. JEREMIAH D. NETTLETON,
No. 11—Hon. CONVERSE GOODHUE,
No. 12—Hon. JAMES H. JOHNSON.

The Senate was then called to order by the Clerk
On motion of Mr. Creighton—

The Senate proceeded to the choice of a Chairman, and the Hon. David A. Gregg was elected and took the Chair.

On motion of Mr. Renton—

The Senate proceeded by ballot to the choice of a President, and the Hon. James B. Creighton was unanimously elected.

Mr. Creighton addressed the Senate, signifying his acceptance of the office, and took the Chair.

On motion of Mr. Renton—

The Senate proceeded by ballot to the choice of a Clerk, and Asa Fowler was unanimously elected.

On motion of Mr. Gregg—

The Senate proceeded by ballot to the choice of an Assistant Clerk, and Peter Sanborn was unanimously elected.

On motion of Mr. Goodhue—

The Senate proceeded by ballot to the choice of a Doorkeeper, and Philip Sargent was elected.

Asa Fowler, elected Clerk, and Peter Sanborn, elected Assistant Clerk, being present, were severally sworn to the faithful discharge of the duties of their respective offices, and entered upon the same.

On motion of Mr. Adams—

Ordered, That the Clerk inform the House of Representatives that the Senate have assembled, chosen their constitutional officers and are now ready to proceed to business.

On motion of Mr. Johnson—

Resolved, That the rules and regulations of the Senate last year, be adopted as the rules and regulations for the present year, until otherwise ordered.

On motion of Mr. Nettleton—

Resolved, That the joint rules of the two branches of the Legislature for the year 1839, be adopted as the joint rules of the two branches of the Legislature the present year, until otherwise ordered.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Goodhue—

Resolved, That the time to which the Senate shall adjourn, be ten o'clock in the forenoon and three o'clock in the afternoon, until otherwise ordered.

On motion of Mr. Renton—

Resolved, That a committee of three be appointed to report rules and regulations for the government of the Senate the present year.

Ordered, That Messrs. Goodhue, Adams and Johnson constitute said committee.

On motion of Mr. Brown—

The Senate adjourned.

AFTERNOON.

Philip Sargent, elected Doorkeeper, appeared and entered upon the duties of that office.

A message from the House of Representatives by their Clerk :

“Mr. President—I am directed to inform the Honorable Senate, that the House of Representatives have assembled, have elected the Hon. Moses Norris, jr., Speaker, Harry Hibbard, Clerk, and Albert G. Allen, Assistant Clerk, and are now ready to proceed to the business of the session.

The House of Representatives concur with the Honorable Senate in adopting the joint rules of the two branches of the Legislature for the year 1839, during the present year, or until otherwise ordered.”

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have appointed Messrs. Ayer of Hooksett, Sawyer of Dover and Gould of Henniker, with such as the Honorable Senate may join, a committee to wait on His Excellency the Governor and inform him that quorums of both branches of the Legislature have assembled, are organized and ready to receive any communication he may be pleased to make, in which they ask the concurrence of the Honorable Senate.

The House of Representatives are now ready to meet the Honorable Senate in Convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Johnson—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to wait

on His Excellency the Governor and inform him of the organization of the Legislature.

Ordered, That Mr. Goodhue be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Johnson—

Resolved, That the Senate now meet the House of Representatives in Convention, for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution, the Secretary of State came in and laid before the Convention the returns of votes for Governor from the several towns and places in this State, and also the returns of votes for Counsellors in the several Counsellor Districts in this State.

On motion of Mr. Adams of the Senate—

The Convention proceeded to open, read and record the returns of votes for Governor from the several towns and places in this State, and completed the same.

On motion of Mr. Adams of the Senate—

Resolved, That the returns of votes for Governor be referred to a select committee, with instructions to compare and cast their numbers and report to the Convention thereon.

Ordered, That Messrs. Johnson of the Senate, Jenness of Portsmouth and Bennet of Winchester, of the House of Representatives, constitute said committee.

On motion of Mr. Goodhue of the Senate—

The Convention rose and the Senate returned to their Chamber.

IN SENATE.

On motion of Mr. Gregg—

The Senate adjourned.

THURSDAY, JUNE 4, 1840.

A message from the House of Representatives by their Clerk :

“Mr. President—I am directed to inform the Honorable Senate that the House of Representatives are ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Adams—

Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution—

Mr. Johnson, from the committee appointed to compare and cast the returns of votes for Governor and report to the Convention thereon, made the following

REPORT :

“ The whole number of votes returned is	50,799
Necessary to a choice,	25,400
Estimated as scattering,	562
Hon. Enos Stevens has	20,716
His Excellency John Page has	29,521

and is duly elected Governor of the State of New Hampshire for the ensuing political year.

The votes of the following towns, viz. Hudson, for John Page 138, Enos Stevens 78 ; Tamworth, for John Page 141, Enos Stevens 72, George Kent 68 ; Middleton, for John Page 63, Enos Stevens 31 ; Holderness, for John Page 154, Enos Stevens 130, included in the above estimate, were not received by the Secretary of State within the time prescribed by the Constitution.

No return has been received from the town of Northwood in the county of Rockingham.”

The foregoing report having been read—

On motion of Mr. Treadwell of the House—

Resolved, That the same be accepted.

On motion of Mr. Adams of the Senate—

The Convention proceeded to open, read and record the returns of votes for Counsellors from the several Counsellor Districts in this State, and completed the same.

On motion of Mr. Brown of the Senate—

Resolved, That a committee be appointed to receive, sort, count and cast the returns of votes for Counsellors from the several Counsellor Districts in this State, and report thereon.

Ordered, That Messrs. Comerford of the Senate, Gilman of Exeter and Randall of Sandwich, of the House of Representatives, constitute said committee.

On motion of Mr. Adams of the Senate—

The Convention rose and the Senate returned to their Chamber.

IN SENATE.

Mr. Goodhue, from the joint select committee appointed to wait upon His Excellency the Governor and inform him of the organization of the Legislature, reported that they had attended to the duty assigned them.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have appointed Messrs. St. Clair, Chamberlain, Whittemore of Wilton, Warner, Sawyer of Nashua, Bean, Thom, Barnard, Shannon, and Whitcomb of Swanzey, with such as the Senate may join, a committee to wait upon the Governor elect and inform him of his election, and that the Legislature are ready to receive any communication he may be pleased to make; in which they ask the concurrence of the Senate.”

On motion of Mr. Goodhue—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to notify the Governor elect of his election.

Ordered, That Messrs. Johnson and Pickering be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Renton—

The Senate adjourned.

AFTERNOON.

Mr. Johnson, from the joint select committee appointed to wait on His Excellency John Page and inform him of his election as Governor for the ensuing political year, reported that they had attended to the duty assigned them, and that the Governor elect would meet the Legislature in the Representatives' Hall at half past three o'clock this afternoon.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Goodhue—

Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution, His Excellency John Page, Governor elect, came in, attended by the Honorable Council and the committee of both Houses, declared his acceptance of the office of Governor, and in presence of both branches of the Legislature, took and subscribed the oath of allegiance and the oath of office; whereupon, Hon. James B. Creighton, President of the Senate, declared His Excellency John Page Governor of the State of New

Hampshire for the ensuing political year, and presented him with a copy of the Constitution of the State as a guide in the discharge of his official duties.

His Excellency the Governor and the Honorable Council then withdrew.

On motion of Mr. Johnson of the Senate—

The Convention rose and the Senate returned to their Chamber.

IN SENATE.

A message from His Excellency the Governor, by Mr. Stevens, Secretary of State :

*Fellow citizens of the Senate,
and House of Representatives,*

Although various causes have operated during the past year to involve a portion of our citizens in pecuniary embarrassments, to a greater or less extent, yet our prospects are already brightening, and we may now calculate with confidence upon the speedy return of abundant prosperity.

Among the causes which have contributed to produce embarrassment has been the excessive importation of foreign merchandise purchased upon credit. For the payment of debts so contracted, the exportation of specie became necessary. A drain of specie necessarily compelled the banks to curtail their loans, and such curtailment is always productive of more or less embarrassment. The securities given by the states, for debts contracted by them in the prosecution of their works of internal improvement, obtaining for a time unlimited credit with foreign capitalists, passed, to the amount of between one and two hundred million of dollars into foreign hands, and foreign merchandise was either directly or indirectly received in exchange for most of them. The ready reception of these securities abroad, afforded a facility of payment for foreign goods, which stimulated strongly to the excessive importation of them. Nor did the impulse thus given, cease to operate when the facilities thus afforded were exhausted, but drove us on to a ruinous extent, beyond even the means apparently so inexhaustible. The influx of foreign goods in this way produced, could not fail of effecting unfavorably the business of our manufacturers. Our imports ought never materially to exceed the value of our exports in foreign markets, for

nations as well as individuals, when they buy much and sell little are sure of involving themselves in embarrassment.

The course of business pursued by several of the banks in this country, has had its effect in producing our late embarrassments.— Those banks abandoning their appropriate sphere of business, plunged into various speculations, and became dealers in cotton and other commodities, on a scale so extensive, that instead of being able to loan money, it became necessary for them not only to curtail their loans already made, but to become themselves applicants for extensive loans. The bank of the United States, even resorted to the expedient of issuing and selling its own post notes (notes redeemable at a future day) for the purpose of raising funds to sustain itself in its speculations; and such were the embarrassments into which that bank plunged itself, by its extraordinary course of dealing, that all the means it possessed and had the power to raise, could not save it from the necessity of suspending specie payments. Suspension by that powerful institution, drew after it into the same vortex nearly half the banks in the country. Affected by the operation of these powerful causes, it is not much to be wondered at, that we have been subject to embarrassments; the wonder is rather, that we have passed the ordeal so little harmed. Permit me to congratulate you upon the indications of returning prosperity, as well as upon the present prospect of a fruitful season; in relation to both, may our hopes be fully realized.

By a law of this State passed Jan. 13, 1837, bank bills of the smaller denominations, were prohibited from circulation, after certain times therein specified; but before this law went into operation, the banks suspended specie payments, in consequence of which it became impracticable to carry its provisions into immediate effect. The Legislature by an act passed July, 4, 1838, suspended the operation of this law until July 1, 1840. I have never doubted the wisdom of suppressing the circulation of small bills, provided such suppression can be made general, and extend to all the States. It is in my belief, the only way in which we can permanently increase our specie circulation. It is very natural that persons owning bank stock, should be opposed to such a measure, as a matter of interest, because the profits accruing from such stock, depend mainly upon the amount of bills which the banks are able to keep in circulation, and if the whole circulating medium of the country be limited by the demand for it, or otherwise, to a given amount, the portion of it which consists of paper, must diminish in the exact ratio, in which the specie por-

tion increases. It is unquestionably desirable, that our circulating medium should be made to include a much larger proportion of specie than now belongs to it. It is desirable, not only as respects the interest which the people universally have, in securing a sound and stable currency, but also as it respects the safety of the banks, and their ability at all times to redeem their circulation with specie. If we expel small bills from circulation, we thereby create a demand for specie to supply their place, and specie like all other commodities will always be attracted most strongly to the point, at which there is the greatest demand for it.— This accords with universal experience. Yet surrounded as we are by States, authorizing the emission and circulation of small bills, and connected as we are with such States in trade, it would probably be difficult at present, to carry the provisions of the act in question into effect. I would therefore suggest the expediency of a further postponement of the law for a limited period, believing that the prohibitions embraced in it, will, at no distant day, be more favourably regarded by the people of the neighboring states.

Our Banks, at present, sustain themselves in their operations, principally by collecting bills of other banks, and depositing them in Boston for the redemption of their own notes. They do not expect to redeem their bills at their own counter to any considerable extent, and they therefore make but slight provision for that purpose. This mode of transacting business has nearly drained the specie from the vaults of the banks, and although it has the advantage of keeping the bills of solvent country banks at par in Boston, and lays some restriction on the amount put in circulation; yet redemption in specie at their own counters, would render necessary the possession of specie funds adequate to that purpose, and would create a demand for specie, which would no doubt add materially to the specie basis of our circulation.

I would suggest the expediency of making it the duty of the Bank Commissioners, within certain limited periods, to examine into the affairs of the banks, without being called upon by the Governor for that purpose. A provision by law for that object, may secure the public against losses, by the detection of unsoundness in the banks at an early period, and before such unsoundness becomes of so serious a character, as to render the banks deeply insolvent.

Happily for us we have accumulated no State debt, and unlike many of our sister States, we are not subject to burthensome taxation to pay the interest on loans. However desirable may be the public improvements, made in many of the States, it will

be found much the wisest policy to leave such improvements to be effected by the enterprise of individuals or associations of individuals ; such undertakings, are always prosecuted with greater economy as well as effect, by individuals than by States ; beside there is obvious injustice in subjecting the people of the whole State to equal expense for objects, the benefits of which, they must share at best unequally. Our ordinary expenditure for the support of the State Government is about \$45,000 annually, an amount so moderate as to afford no reasonable ground of complaint.

The Constitution of this State requires that "in order that assessments may be made with equality, there shall be a valuation of the estates within this State, taken anew once in every five years at least, and as much oftener as the General Court shall order." Under this provision of the Constitution, it has been customary on the return of every fourth year, to hold an adjourned Session in November, not for the purpose alone of making a new proportion Act, but to supply any vacancy, that might occur in the board of Electors of President and Vice President of the United States. By reference to an Act in addition to an Act, directing the mode of choosing and appointing the Electors aforesaid, passed January 7, 1837, provision will be found to have been there made, for supplying any vacancy that may exist in the Board of Electors, at the time of their meeting, which will preclude the necessity of an adjourned session this year ; this provision may save considerable expense to the State, for I think all will agree that our June sessions of ordinary length, afford ample time for all the legislation that the public good may require. Perhaps excess of legislation is one of the growing evils to which we are subject. Laws of a public nature, to which constructions have been given by Judicial decisions, should not be altered without weighty reasons. Nothing tends so much to increase litigation, and render the law uncertain, as frequent alterations of the statutes. I should therefore recommend but few alterations in our public laws. Our criminal code is humane, and at the same time sufficiently severe. It is more by the certainty, than the severity of punishment, that crimes are prevented ; and such are the vigilance and ability with which our criminal laws are now enforced, that few offenders escape deserved punishment.

Our special legislation has much increased within a few years. There are no doubt cases, in which it is expedient to grant charters of incorporation ; but acts of incorporation are often asked

for, with a sole view to avoid personal responsibility, to enable individuals to transact business under their corporate name, with an exemption from all responsibility, beyond their mere interest in the corporate property. Applications to the Legislature for such favors, ought not to be encouraged. Business transactions involving unlimited personal responsibility, as in the case of individual and partnership affairs, are likely to be conducted in a more prudent and less hazardous manner, than transactions in relation to which, personal responsibility is limited or exonerated. In all acts of incorporation, which the Legislature may deem it expedient to grant, the interests of the public, as well as the rights of individuals, should be guarded with great care. The number and power of corporations in this country, have been extended to an alarming degree, and it may require the utmost vigilance and efforts of our people, as well as their Legislatures, to retain the government of the country in opposition to so many and so powerful combinations.

After having given seasonable notice, the Directors of the State Prison met in Sept. last, to receive proposals for the labor of the convicts. Proposals were made by Mr. Gordon Burley for one year, commencing on the 1st day of January, 1840, and a new contract was then entered into, (the terms of which are similar to those of the former contract) which would have expired January 1, 1841, but by a subsequent agreement, said contract is to expire in Sept. next. This alteration in the opinion of the Warden is beneficial to the State, in as much as it brings the contract to a termination, at an earlier season of the year, and will afford opportunity to procure provisions for the support of the convicts, and stock and materials to supply the work-shops before the water communication to this place is closed by ice. The Warden's report will show what part of the appropriation for repairs has been expended for that purpose. No part of the appropriation to enable the Warden to carry on business in behalf of the State has been drawn from the Treasury ; but such, and so fluctuating have been the prices of manufactured articles in the market, that few are disposed to contract for the labor of the convicts ; perhaps those convicts who are mechanics, can be advantageously let for particular branches of business. I would therefore suggest the propriety of continuing authority, to hire out a part or all the convicts on suitable terms, and also of continuing sufficient appropriations to enable the Warden to carry on the whole business, directly in behalf of the State.

It gives me great satisfaction to be able to say, that the regula-

tion and police of the Prison, has never to my knowledge, been better than during the past year; the work-shops have been divided into smaller apartments, greatly as I conceive to the benefit of the contractor, and the division has contributed much to preserve order and regularity in the conduct of the convicts.

Under the act of the last session providing for a geological and mineralogical survey of this State, I have appointed Dr. Charles T. Jackson of Boston, State Geologist; such were his engagements last year, that he could not enter upon the survey of this State until the present season. I anticipate great benefits to the State from this survey, not only in the valuable agricultural information to be derived from the analysis of our soils, but in the development of the mineral resources, which there is reason to believe abound in various parts of the State; to continue this survey through the season may require some additional appropriation; I presume it is the desire of all to complete the survey with as little delay as possible.

Our reliance for defence, for suppressing insurrection, and repelling invasion, must in a great measure be upon citizen soldiers, our militia. Our pursuits are of a peaceful nature, we are not by habit a warlike people; but if occasion demand, if foreign foes invade our soil, if the integrity of our Union is assailed, "our people know their rights, and knowing will defend them;" we have the best materials from which to raise an army, in the patriotic, warm-hearted, strong-armed citizens of our Republic, who still possess all that love of country, all that energy, courage and fortitude, with which our fathers were inspired in the struggle for Independence; these are the bulwarks of our country, and in the absence of National Legislation upon this subject, it is important that measures should be adopted by the State Governments, to encourage discipline, and render our Militia efficient. It is wisdom on our part to be at all times prepared for war, a different course would be likely to invite aggression. The encouragement already given by our laws, to those who bear arms, although small has proved beneficial. Heretofore the burthen of doing military duty, has fallen principally upon those, who have been least able to bear it. To your wisdom I submit the subject; it is for you to determine whether further encouragement is necessary to strengthen and invigorate this arm of our defence. The recent aspect of our foreign relations admonishes us, that it is wisdom, "in peace to prepare for war."

Our system of free schools, is well adapted to diffuse the advantages of education, among all classes of our people, the poor

as well as the rich; and it is of the highest importance, under a government like ours, that these advantages be not only accessible to all, but that they be improved by all. Education is one of the main pillars of our free institutions. It is of great importance, that competent Teachers be employed in our District Schools; for it is here, that a large majority of our youth, finish their education, and here should be afforded the means of instruction in all the branches of a thorough English education. But while improvements are making in the arts and sciences, and in almost every thing else, have not our district schools, been, for some years, stationary? This subject is of such importance, that it is expressly enjoined on you by the Constitution "to cherish the interests of Literature and the Sciences."

The term of one of our Senators in Congress, will expire on the fourth day of March next, and on you will devolve the duty of making a seasonable appointment, to fill the vacancy which will then occur.

It will be necessary to make provision by law, for the return of the inventories of the several towns in the State, to enable the Legislature to make an equitable proportion act, at their next session, for the assessment of public taxes.

Nothing I believe has yet been accomplished toward the erection of buildings for the Insane Hospital. The progress of this institution, so humane in its object, has thus far been delayed, by a difference of opinion, as to a suitable place for its location. A point has been designated for that purpose, by a very respectable committee, in the extreme eastern section of the State. That point may have advantages (of which however I am not aware) sufficient to counterbalance its difficulty of access, to a large proportion of our people. The board of Visitors have performed no duty the past year, except the filling of a vacancy in the board of Trustees, appointed in behalf of the State.

Of the appropriation for the education of indigent deaf and dumb persons, at the Asylum in Hartford Connecticut nearly the whole has been expended. The course of instruction pursued at this Institution, requires a term of four years for its completion, consequently about one fourth part of your beneficiaries, retire annually, and give place to as many new applicants.— It is to be hoped that the usual appropriation continued, will meet the wants of this unfortunate class.

Of the appropriation for the education of indigent blind persons at the Institution for the blind in Boston, \$675, have been expended. The pupils remain at this institution for a longer term of

years, and their education is attended with more expense, than that of the deaf and dumb. It is believed there are but few of this class in the State.

In my communication to the Legislature, at the commencement of its last session, I expressed my conviction in favor of abolishing imprisonment for debt: my views upon that subject have not changed, and I again commend it to your favorable consideration.

In conclusion, Gentlemen, let us cherish a spirit of forbearance and harmony, and make the welfare, the prosperity and happiness of our constituents, the principal object of all our proceedings here; looking to Him who ruleth the destinies of Nations for wisdom to direct us in all our deliberations.

JOHN PAGE.

Concord, June 4, 1840.

The foregoing message having been read—

On motion of Mr. Johnson—

Ordered, That it lie upon the table and the Clerk procure two hundred printed copies thereof for the use of the Senate.

On motion of Mr. Nettleton—

The Senate adjourned.

FRIDAY, JUNE 5, 1840.

Mr. Goodhue, from the select committee appointed to report rules and regulations for the government of the Senate the present year, reported for consideration the following

RULES OF THE SENATE :

1. The President having taken the Chair, and a quorum being present, the journals of the preceding day shall be read, and any erroneous entry shall be corrected.

2. No member shall hold conversation with another, during the reading of the journals, or while a member is speaking in debate.

3. Every member rising to speak, shall address the President, and when he has finished shall sit down.

4. No member shall speak more than twice on the same question on the same day, without leave of the Senate.

5. More than one member rising to speak at the same time, the President shall decide who shall speak first.

6. If any member transgress the rules of the Senate, the President shall, or any member may call him to order, in which case the member so called to order shall sit down, and the Senate, if appealed to, shall decide in the case ; but if there be no appeal the decision of the President shall be conclusive.

7. No member shall absent himself without permission from the Senate.

8. A motion shall be seconded before it is debated, and if required by the President, or any member, it shall be reduced to writing.

9. When a question is under debate, no motion shall be received but to adjourn, to postpone indefinitely, to lie on the table, to postpone to a certain day, to commit, or to amend, which several motions shall take precedence in the same order in which they are arranged. And no motion to postpone indefinitely, to postpone to a certain day, or to commit, being decided, shall be in order at the same stage of the bill or proposition until after an adjournment.

10. If the question under debate will admit of division, any member may have it divided, and in filling blanks, the longest time, and largest sum shall be put first.

11. When the reading of a paper is called for, and the same is objected to, it shall be decided by a vote of the Senate, and without debate.

12. When the ayes and noes are required, each member shall declare his assent or dissent to the question, unless for special reasons he be excused by the Senate.

13. When a motion is made to shut the doors of the Senate on the discussion of any business, which in the opinion of any member may require secrecy, the President shall desire the gallery to be closed, and the doors shall remain closed until the subject is disposed of.

14. After a motion has been decided, it shall be in order for any member who voted with the majority, or if the Senate be equally divided any member voting on the side prevailing, to move for a reconsideration thereof, unless the bill, resolution, report, amendment, or motion on which the vote was taken, has gone from the possession of the Senate ; but no motion to reconsider shall be in order, unless made the same day on which the vote was taken, or the day next after on which the Senate shall be in

session ; but no vote shall be reconsidered when a less number of members is present than when it passed.

15. Before any petition or memorial addressed to the Senate, shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

16. At least one day's notice shall be given before a motion for leave to bring in a bill shall be in order.

17. Every bill shall be read three times before its passage ; and the President shall give notice at each time whether it be the first, second or third reading ; and no bill after it has been read a second time, shall have a third reading before an adjournment.

18. All resolutions, which may require the signature of the Governor, shall be treated in the same manner as bills.

19. When a bill shall have been read a first time and ordered to a second reading, it shall immediately be read a second time by its title, and be by the President referred to the appropriate Standing Committee, unless otherwise ordered by the Senate.

20. The Senate may resolve itself into a committee of the whole at any time, on motion made for that purpose ; and in forming a committee of the whole, the President shall leave the chair, and appoint a chairman to preside in committee ; the President, may, at any time, name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

21. The last question upon the second reading of a bill or resolution, shall always be, shall it be read a third time ? and no amendment shall be received or discussed on the third reading of any bill or resolution, unless by consent of eight members present ; but it shall at all times be in order before the final passage of a bill or resolution to move its commitment, and should such commitment take place, and an amendment be reported, the bill or resolution shall again be read a second time and considered as in committee of the whole.

22. The titles of bills and such parts thereof as may be affected by proposed amendments shall be entered on the journals.

23. All bills, resolutions and addresses, after passing the Senate, shall be signed by the President ; and all warrants and other processes issued by order of the Senate, shall be under his hand and seal, attested by the Clerk.

24. The following standing committees, to consist of three members each, shall be appointed at the commencement of any session, with leave to report by bill or otherwise :

A committee on the Judiciary.

- A committee on Incorporations.
- A committee on Military Affairs.
- A committee on Roads, Bridges and Canals.
- A committee on Claims.
- A committee on Agriculture and Manufactures.
- A committee on Banks.
- A committee on Elections.
- A committee on Education.
- A committee on Unfinished Business.
- A committee on Printers' Accounts.

25. All committees shall be appointed by the President unless a member requests that the appointments shall be by ballot, in which case it shall be so done.

26. When the Senate shall concur with the House of Representatives in the appointment of a joint committee, consisting of not more than five members of the House, one member shall be added on the part of the Senate; but when more than five, two members of the Senate shall be added.

27. Messages shall be sent to the House of Representatives, by the Clerk of the Senate.

28. Messages from the Governor or House of Representatives may be received at all times, except when the Senate is engaged in putting a question, in calling the ayes and noes, or in counting ballots.

29. All questions shall be put by the President, and each member of the Senate shall signify his assent or dissent by answering aye or no: if the President doubts or a division is called for, the Senate shall divide; those in the affirmative of the question shall first rise from their seats and stand till they be counted; and afterwards those in the negative shall rise and stand till they be counted. The President shall then rise and state the decision of the Senate.

30. No person except the members of the executive, or members of the House of Representatives and their officers, shall be admitted within the bar of the Senate, except by invitation of the President, or some member with his consent.

31. The Senate shall adjourn to meet at ten o'clock in the forenoon, and three o'clock in the afternoon of each day, unless the Senate shall otherwise order.

32. Motions to adjourn shall be decided without debate.

The foregoing rules having been read—

On motion of Mr. Gregg—

Resolved, That the same be adopted for the government of the Senate the present year.

A message from the House of Representatives by their Clerk :

“ Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Adams—

Resolved, That the Senate now meet the House of Representatives in Convention, for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution—

Mr. Comerford, from the committee appointed to receive the returns of votes for Counsellors in the several Counsellor Districts in this State, and to compare and cast their number, made the following

REPORT :

“ IN DISTRICT NO. 1, the whole number of votes legally returned, is 10,414
 Necessary to a choice, 5,208
 Estimated as scattering, 58
 Arthur Branscomb has 4,191
 Isaac Waldron has 6,165
 and is elected.

IN DISTRICT NO. 2, the whole number of votes legally returned is 10,167
 Necessary to a choice, 5,084
 Estimated as scattering, 15
 Jeremiah Wilson has 4,245
 Henry B. Rust has 5,907
 and is elected.

IN DISTRICT NO. 3, the whole number of votes legally returned is 11,672

Necessary to a choice,	5,837
Estimated as scattering,	17
Daniel Abbot has	4,493
John H. Steele has	7,162
and is elected.	

IN DISTRICT No. 4, the whole number of votes	
legally returned is	9,198
Necessary to a choice,	4,600
Estimated as scattering,	48
Leonard Biscoe has	4,379
Phineas Handerson has	4,771
and is elected.	

IN DISTRICT No. 5, the whole number of votes	
legally returned is	9,157
Necessary to a choice,	4,578
Estimated as scattering,	172
Isaac Abbot has	3,155
John H. White has	3,630
and is elected.	

No return of votes has been received from Northwood in District No. 1."

The foregoing report having been read—

On motion of Mr. Treadwell of the House—

Resolved, That the same be accepted.

On motion of Mr. Ayer of the House—

The Convention rose and the Senate returned to their Chamber.

IN SENATE.

A message from the House of Representatives by their Clerk :

" Mr. President—The House of Representatives have appointed Messrs. Hoskins of Westmoreland, Moore of Milford, and McDaniel of Barrington, with such as the Senate may join, a committee to wait on His Excellency the Governor and inform him that the following gentlemen are elected Counsellors for the ensuing political year, viz :

Isaac Waldron, for District No. 1.

Henry B. Rust, " 2.

John H. Steele, " 3.

Phineas Handerson, " 4.

John H. White " 5.

in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Brown—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to inform the Governor of the election of Consellers.

Ordered, That Mr. Renton be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Goodhue—

The Senate adjourned:

AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Chase of Washington, Sawyer of Nashua and Swasey of Haverhill, with such as the Senate may join, a committee to prepare and report joint rules for the government of both branches of the Legislature the present year; in which they ask the concurrence of the Honorable Senate.

They have appointed Messrs. Sanborn of East Kingston, Blaisdell of Hanover, and Smith of Lempster, with such as the Senate may join, a committee to procure three hundred printed copies of the rules of the Senate and House of Representatives, together with the joint rules of the two Houses, the Constitution of this State and of the United States, the names and boarding houses of the several members of the Legislature and its officers, with a list of the Standing Committees in each of its branches, for the use of both branches of the Legislature the present year; in which they ask the concurrence of the Honorable Senate.

The House of Representatives have appointed Messrs. Bruce, Copp and Weeks of Canaan, with such as the Senate may join,

a committee to audit the accounts of the Treasurer of this State; in which they ask the concurrence of the Honorable Senate."

On motion of Mr Goodhue—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to prepare and report joint rules for the government of the two Houses the present year.

Ordered, That Mr. Johnson be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Belding—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to procure three hundred printed copies of the rules of the two Houses.

Ordered, That Mr. Gregg be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Gregg—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to audit the accounts of the Treasurer of this State.

Ordered, That Mr. Comerford be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

The President of the Senate announced from the Chair the appointment of the following

STANDING COMMITTEES :

On the Judiciary.—Messrs. Gregg, Johnson and Belding.

On Incorporations.—Messrs. Renton, Adams and Pickering.

On Military Affairs.—Messrs. Johnson, Comerford and Nutter.

On Roads, Bridges and Canals.—Messrs. Nettleton, Brown and Renton.

On Claims.—Messrs. Goodhue, Brown and Belding.

On Agriculture and Manufactures.—Messrs. Brown, Nettleton and Renton.

On Banks.—Messrs. Pickering, Adams and Gregg.

On Elections.—Messrs. Nutter, Goodhue and Pickering.

On Education.—Messrs. Adams, Gregg and Johnson.

On Unfinished Business.—Messrs. Belding, Nutter and Comerford.

On Printers' Accounts.—Messrs. Comerford, Goodhue and Nutter.

Mr. Renton, from the joint select committee appointed to wait upon His Excellency the Governor and inform him of the election of Counsellors for the ensuing political year, reported that they had attended to the duty assigned them.

A message was received from the House of Representatives by their committee giving information that prayers would be attended in the Representatives' Hall every morning during the session at a quarter before ten o'clock, and inviting the Honorable Senate to be present.

Mr. Johnson, from the joint select committee appointed to prepare and report joint rules for the government of the two branches of the Legislature the present year, reported the following

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES :

1. When a convention of the two Houses is to be formed, whether by requirement of the Constitution, or by a vote or resolve of the two Houses, a message shall be sent from the House of Representatives to the Senate, giving notice when the House will meet the Senate in Convention. As soon thereafter as the convenience of the Senate will permit, they will attend in the House. The Speaker of the House shall be Chairman of the Convention, and shall state the reason for forming the Convention. When the House and Senate are thus formed in Convention, the rules adopted as the rules of the House, shall be considered the rules of the Convention, so far as they may be deemed applicable, and the Convention shall accordingly be governed thereby.

2. Messages shall be sent by such person or persons as a sense of propriety, in each House may determine to be proper.

3. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it may be sent by the door keeper.

4. While bills are on their passage between the Houses, they shall be under the signature of the Clerk of each House respectively.

5. There shall be a committee for the purpose of engrossing bills, consisting of two members of each House. All bills that pass both Houses shall be delivered to said Committee, be by them engrossed, carefully examined, and reported to the respective Houses; and shall be signed, first by the Speaker of the House of Representatives, then by the President of the Senate.

6. There shall be a committee to consist of three members of the House and one of the Senate, on each of the following subjects, to wit:

On all matters relative to the State Library, and on all matters relative to the State House and State House yard.

7. When a bill or resolve which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

8. Each House shall transmit to the other all papers on which any bill or resolve shall be found.

9. Each house shall transmit to the other all bills which have passed their several stages in the House in which they originated, at least twenty-four hours before the time fixed on for adjournment.

10. After each House shall have adhered to their disagreement, a bill or resolve shall be considered lost.

The foregoing rules having been read—

On motion of Mr. Goodhue—

Resolved, That they be adopted on the part of the Senate as the joint rules for the government of the two branches of the Legislature the present year.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

“Mr. President—The House of Representatives have appointed Messrs. Bruce, Carbee and Perkins of Strafford, with such as the Senate may join, a committee to assign committee

rooms to the several Standing Committees of the Legislature ; in which they ask the concurrence of the Honorable Senate.

On motion of Mr. Adams—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to assign committee rooms.

Ordered, That Mr. Nutter be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

The President of the Senate from his place announced the appointment of the following

JOINT STANDING COMMITTEES.

On Engrossed Bills.—Messrs. Goodhue and Gregg.

On the Library.—Mr. Adams.

On the State House and State House Yard.—Mr. Renton.

On motion of Mr. Gregg—

Resolved, That a committee of three be appointed to take into consideration the annual message of His Excellency the Governor and report what disposition be made of the several subjects embraced therein.

Ordered, That Messrs. Gregg, Brown and Nettleton constitute said committee.

On motion of Mr. Gregg—

The Senate adjourned.

SATURDAY, JUNE 6, 1840.

On motion of Mr. Goodhue—

Resolved, That when the Senate adjourn this afternoon, it be to meet again on Monday next at three o'clock in the afternoon.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have, on

their part, adopted the joint rules, reported by the joint select committee, for the government of the two branches of the Legislature the present year."

Mr. Nutter, from the joint select committee appointed to assign committee rooms to the several Standing Committees, reported the following joint resolution :

Resolved by the Senate and House of Representatives, That committee rooms numbered 6, 7 and 8, be occupied by the committees of the Senate, and the following rooms by the committees of the House of Representatives :

No. 1, By committees on Elections and Banks.

No. 2, By committees on Incorporations and Alteration of Names.

No. 3, By committees on Agriculture and Manufactures and on Finance.

No. 4, By committees on Roads, Bridges and Canals, and on Public Lands.

No. 5, By committees on Claims and Printers' Accounts.

No. 9, By committees on Unfinished Business, and Bills on their second reading.

No. 10, By the committee on the Judiciary.

No. 11, By committees on Military Affairs and Military Accounts.

No. 12, By committees on Education, the Library and the State Prison.

No. 13, By committees on Towns and Parishes, and Select Committees.

No. 6, By the joint committee on Engrossed Bills.

No. 8, By the joint committee on the State House and State House Yard.

The foregoing resolution having been read—

On motion of Mr. Nettleton—

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Adams—

The Senate adjourned.

MONDAY, JUNE 8, 1840.

A message from the House of Representatives by their Clerk :

“ Mr. President—The House of Representatives have passed the joint resolution reported by the joint select committee appointed to assign committee rooms to the several Standing Committees of both branches of the Legislature.

The House of Representatives have appointed Messrs. Dame of Farmington, Breck of Cornish and Monroe of Hillsborough, with such as the Senate may join, a committee for the purpose of fixing on a day when the business of the present session of the Legislature may be brought to a close ; in which they ask the concurrence of the Honorable Senate.”

On motion of Mr. Pickering—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to fix a day for the close of the present session of the Legislature.

Ordered, That Mr. Comerford be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Gregg—

Resolved, That the Senate have a recess until four o'clock this afternoon.

FOUR O'CLOCK

On motion of Mr. Comerford—

The Senate adjourned.

TUESDAY, JUNE 9, 1840.

Mr. Comerford, from the joint select committee appointed to audit the Accounts of the Treasurer of this State, made the following

REPORT :

“ The joint select committee, appointed to audit the Accounts

of the Treasurer of this State, report that they have carefully examined the following accounts from June 5th, 1839, to June 1st, 1840 :

1. An account of bonds due the the State, viz :

A bond signed by Jasper Elkins and others in favor of the State, dated August 1, 1830, principal,	\$307 00
Discharged by balance due on said bond, (inter- est excepted,)	307 00

2. An account of stock in the N. H. Bank,	\$10,000 00
By twenty shares in the N. H. Bank,	10,000 00

3. A general cash account, embracing the following items of credit to wit :

Balance of cash in the Treasury as found by the committee on settlement with the Treasurer, June 5th, 1839,	\$10,990 44
Cash borrowed of Mechanicks Bank, Concord,	25,000 00
Cash, dividend on stock in the N. H. Bank,	875 00
Cash for State tax, 1838,	580 60
Cash for State tax, 1839,	58,395 14
Cash of Josiah Stevens, Jr., for civil commissions,	480 00

Amounting to	\$96,321 18
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Which is accounted for as follows, viz :

Paid sundry orders for salaries of Governor, Judges of Superior Court, Court of Common Pleas, Judges and Registers of Probate, Attorney General, Secretary, Treasurer and Warden of the State Prison,	\$16,839 08
Paid travel and attendance of the members of the Council at their several sessions, and of the Sen- ate and House of Representatives, June session, 1839,	20,183 40
Paid cash borrowed of Mechanicks Bank,	25,000 00
Paid interest on the above,	625 04
Paid appropriation for State Prison,	465 19
Paid Military appropriations,	1,040 00
Paid appropriation for deaf and dumb,	1,300 00
Paid " " for blind,	831 25
Paid for bounties on wolves, bears, wild cats and foxes	1,973 50
Paid appropriation for Geological survey,	650 00

Paid committee to investigate the affairs of the State Prison,	355 75
Paid sundry orders drawn by the Executive, not included in the above account,	5,065 79
	<hr/>
	\$74,329 00
Balance in the Treasury, June 1, 1840,	21,992 18
	<hr/>
	\$96,321 18

All which are duly vouched and correctly cast.

JOHN COMERFORD,
NATHANIEL BRUCE,
AMASA COPP,
WM. P. WEEKS."

The foregoing report having been read—

On motion of Mr. Nutter—

Resolved, That the same be accepted.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Nutter from the committee on Elections, made the following

REPORT:

"The committee on Elections, having examined the returns of votes from the several Senatorial Districts, find them to be as recorded by the Secretary as follows, viz :

District No. 1.

Whole number of votes,	2,558
Necessary to a choice,	1,280
Estimated as scattering,	17
Samuel Cleaves has	1,181
James Pickering has	1,360
and is elected.	

District No. 2.

Whole number of votes,	3,763
Necessary to a choice,	1,882
Estimated as scattering,	21
William Odlin has	1,397

James B. Craighton has 2,345
and is elected.

District No. 3.

Whole number of votes,	4,040
Necessary to a choice	2,021
Estimated as scattering,	13
Samuel M. Richardson has	1,699
David A. Gregg has	2,328

and is elected.

The town of Hudson has for David A Gregg 138, Samuel M. Richardson 78, not included in the above estimate, not being legally returned.

District No. 4.

Whole number of votes,	3,817
Necessary to a choice,	1,909
Estimated as scattering,	12
George Kent has	1,555
Peter Kenton has	2,250

and is elected.

District No. 5.

Whole number of votes,	4,733
Necessary to a choice,	2,367
Estimated as scattering,	12
Andrew Pierce has	2,283
George Nutter has	2,438

and is elected.

The town of Middleton has for Andrew Pierce 31, George Nutter 63, not included in the above estimate, not being legally returned.

District No. 6.

Whole number of votes,	4,492
Necessary to a choice,	2,247
Estimated as scattering	2
Daniel Hoit has	1,703
John Comerford has	2,787

and is elected.

The town of Tamworth has for John Comerford 143, Daniel Hoit 137, and the town of Effingham has for John Comerford

142, Daniel Hoit 29. The return of votes from Tamworth not included in the above estimate, not being legally returned. The return of votes from Effingham not included in the above estimate, not being signed by the Town Clerk.

District No. 7.

Whole number of votes,	4,722
Necessary to a choice,	2,362
Estimated as scattering,	17
Perley Foster has	2,238
Daniel Adams has	2,467
and is elected.	

District No. 8.

Whole number of votes,	4,094
Necessary to a choice,	2,048
Estimated as scattering,	44
Luther Farley has	1,013
Abram Brown has	3,037
and is elected.	

District No. 9.

Whole number of votes,	3,802
Necessary to a choice,	1,902
Estimated as scattering,	36
Francis Holbrook has	1,562
Elijah Belding has	2,204
and is elected.	

District No. 10.

Whole number of votes,	3,722
Necessary to a choice,	1,862
Estimated as scattering,	25
Alvah Smith has	1,780
Jeremiah D. Nettleton has	1,917
and is elected.	

District No. 11.

Whole number of votes,	4,465
Necessary to a choice,	2,233
Estimated as scattering,	7
Timothy Kenrick has	1,817

Converse Goodhue has 2,641
and is elected.

District No. 12.

Whole number of votes,	5,229
Necessary to a choice,	2,615
Estimated as scattering,	55
Joseph Bell has	1,564
James H. Johnson has	3,610

and is elected.

The town of Holderness has for James H. Johnson 154, Joseph Bell 130 ; the votes from Holderness not included in the above estimate, not being legally returned."

The foregoing report having been read—

On motion of Mr. Adams—

Resolved, That the same be accepted.

Mr. Gregg, from the select committee appointed to take into consideration the annual message of His Excellency the Governor and report what disposition be made of the several subjects embraced therein, made a report, whereupon—

Resolved, That so much of said message as relates to banks and banking, be referred to the committee on Banks.

That so much of said message as relates to the valuation of estates within this State and an adjourned session of the Legislature the present year, be referred to a select committee.

That so much of said message as relates to the State Prison and State Prison convicts, be referred to a select committee.

That so much of said message as relates to a Geological Survey of this State, be referred to a select committee.

That so much of said message as relates to the militia, be referred to the committee on Military Affairs.

That so much of said message as relates to education and free schools, be referred to the committee on Education.

That so much of said message as relates to the Hospital for the Insane and the location thereof, be referred to the committee on the Judiciary.

That so much of said message as relates to the abolition of imprisonment for debt, be referred to the committee on the Judiciary.

Ordered, That Messrs. Johnson, Gregg and Brown constitute the select committee on so much of the Governor's message as relates to the valuation of estates within this State and an adjourned session of the Legislature the present year.

Ordered, That Messrs. Goodhue, Adams, and Pickering constitute the select committee on so much of the Governor's message as relates to the State Prison and State Prison convicts.

Ordered, That Messrs. Gregg, Nettleton and Belding constitute the select committee on so much of the Governor's message as relates to a Geological Survey of this State.

Mr. Pickering, by leave, presented the following resolution :

Resolved by the Senate and House of Representatives, That Friday next at three o'clock in the afternoon be assigned as the time for proceeding in the choice of a Senator to the Congress of the United States for six years from and after the third day of March 1841."

The foregoing resolution having been read—

Mr. Brown moved that it lie upon the table—

Which was decided in the negative.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Nutter—

The Senate adjourned.

AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have accepted the report of the joint select committee appointed to audit the accounts of the Treasurer of this State."

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the passage of the resolution fixing the time of choosing a United States Senator."

On motion of Mr. Goodhue—

The Senate adjourned.

WEDNESDAY, JUNE 10, 1840.

Mr. Comerford, from the joint select committee appointed to designate a day when the business of the present session of the Legislature may be brought to a close, reported the following joint resolution :

“ Resolved by the Senate and House of Representatives in General Court convened, That the business of the present session of the Legislature may be closed on Saturday the twentieth instant.”

The foregoing resolution having been read—

On motion of Mr. Nettleton—

Ordered, That it lie upon the table.

On motion of Mr. Goodhue—

The Senate adjourned.

AFTERNOON.

A message from the House of Representatives by their Clerk :

“ Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.”

On motion of Mr. Johnson—

Resolved, That the Senate now meet the House of Representatives in Convention, for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of pro-

ceeding in the elections agreeably to the provisions of the Constitution—

On motion of Mr. Treadwell of the House—

The Convention proceeded by ballot to the choice of a Secretary of State for the ensuing political year ; and Josiah Stevens, Jr. was elected.

On motion of Mr. Comerford of the Senate—

The Convention proceeded by ballot to the choice of a Treasurer for the ensuing year ; and Zenas Clement was elected.

On motion of Mr. Brown of the Senate—

The Convention proceeded by ballot to the choice of a Commissary General for the ensuing year ; and Theodore F. Rowe was elected.

On motion of Mr. Renton of the Senate—

The Convention rose and the Senate returned to their Chamber.

IN SENATE.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed a bill entitled “An act to repeal an act entitled an act in addition to and in amendment of an act designating the mode of choosing and appointing Electors of President and Vice President of the United States, approved January 7, 1837”—

The House of Representatives have also passed a resolution fixing a day for the close of the present session ; in which they ask the concurrence of the Honorable Senate.”

The foregoing bill, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The foregoing resolution, sent up from the House of Representatives for concurrence, having been read—

On motion of Mr. Gregg—

Ordered, That it lie upon the table.

Mr. Gregg, from the committee on the Judiciary to whom was referred the bill entitled “An act to repeal an act entitled an act in addition to and in amendment of an act designating the mode

of choosing and appointing Electors of President and Vice President of the United States, approved January 7, 1837," reported it without amendment.

On the question, shall this bill be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

On motion of Mr. Johnson—

The Senate proceeded by ballot to choose on their part, a Public Printer for the ensuing year ; and Cyrus Barton was elected.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Adams—

The Senate adjourned.

THURSDAY, JUNE 11, 1840.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have, on their part, elected Cyrus Barton Public Printer for the ensuing year.

The House of Representatives have appointed Messrs. Warner, Wedgewood and Morrill of Boscawen, with such as the Honorable Senate may join, a committee to wait upon Josiah Stevens, jr. and inform him of his election to the office of Secretary of State ; upon Zenas Clement and inform him of his election to the office of Treasurer ; and upon Theodore F. Rowe and inform him of his election to the office of Commissary General, for the ensuing political year ; and, if they accept the several offices to which they have been respectively elected, to receive from them the necessary bonds and lay them before the House of Representatives ; in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Goodhue—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to notify

the Secretary, Treasurer and Commissary General of their election.

Ordered, That Mr. Nettleton be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill entitled "An act to repeal an act entitled an act in addition to and in amendment of an act designating the mode of choosing and appointing Electors of President and Vice President of the United States, approved January 7, 1837"—

Which was read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Pickering presented the petition of James Nutter and 102 others, legal voters of Newington, praying to be exempted from the operation of the provisions of the act of July 6, 1839, providing for the division of towns into school districts in certain cases—

Which having been read—

Ordered, That it be referred to the committee on Education.

Mr. Johnson gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to incorporate the Nashua Literary Institution."

Mr. Comerford gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to provide for the choice of Road Commissioners."

On motion of Mr. Gregg—

Resolved, That the Senate have a recess until half past eleven o'clock this forenoon.

HALF PAST ELEVEN.

On motion of Mr. Brown—

The Senate adjourned.

AFTERNOON.

Mr. Adams, from the committee on Education to whom was referred the petition of James Nutter and 102 others, legal voters of the town of Newington, praying to be exempted from the operation of the provisions of the act of July 6, 1839, providing for the division of towns into school districts in certain cases, reported a bill entitled "An act to exempt the town of Newington from the operation of the provisions of the first section of an act providing for the division of towns into school districts, and for the alteration of the limits of school districts in certain cases, passed July 6, 1839"—

Which was read a first and second time.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed a bill entitled "An act allowing to the fourth company of Infantry in the thirty-first regiment an additional number of State arms," in which they ask the concurrence of the Honorable Senate."

The foregoing bill sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

Mr. Johnson, from the committee on Military Affairs, to whom was referred the bill entitled "An act allowing to the fourth company of Infantry in the thirty-first regiment an additional number of State arms," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Comerford gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to disannex the farm owned in common by Ezra Eastman and Samuel Osgood, from Gilmanton

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in the county of Strafford, and annex the same to Gilford in said county."

On motion of Mr. Nettleton—

The Senate adjourned.

FRIDAY, JUNE 12, 1840.

Pursuant to notice given yesterday and by leave of the Senate for that purpose—

Mr. Comerford introduced a bill entitled "An act to provide for the choice of Road Commissioners"

Which was read a first and second time.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

The Senate proceeded to the order of the day on bills with the following titles :

"An act allowing to the fourth company of Infantry in the thirty-first regiment an additional number of State arms."

"An act to exempt the town of Newington from the operation of the provisions of the first section of an act providing for the division of towns into school districts and for the alteration of the limits of school districts in certain cases, passed July 6, 1839."

Which were severally read a third time.

Resolved, That they pass and their titles be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Pursuant to notice given yesterday and by leave of the Senate for that purpose—

Mr. Johnson introduced a bill entitled "An act to incorporate the Nashua Literary Institution"—

Which was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

Mr. Nettleton, from the committee on Roads, Bridges and Canals to whom was referred the bill entitled "An act to provide for the choice of Road Commissioners," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at 3 o'clock this afternoon.

Pursuant to notice given yesterday and by leave of the Senate for that purpose—

Mr. Comerford introduced a bill entitled "An act to disannex the farm owned in common by Ezra Eastman and Samuel Osgood from Gilmanton in the county of Strafford and annex the same to Gilford in said county"—

Which was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

On motion of Mr. Goodhue—

The Senate adjourned.

AFTERNOON.

Mr. Goodhue, by leave, presented the following joint resolution :

Resolved by the Senate and House of Representatives in General Court convened, That the special order of the day fixing three o'clock this afternoon as the time when the two Houses will go into the choice of a Senator to represent this State in the Congress of the United States for the term of six years from and after the third day of March 1841, be, and the same is, rescinded."

The foregoing resolution having been read—

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of a law of this State."

On motion of Mr. Johnson—

Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections agreeably to the provisions of a law of the State.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the pur-

pose of proceeding in the elections agreeably to the provisions of a law of the State—

On motion of Mr. Gregg of the Senate—

The Convention proceeded by ballot to the choice of a Warden of the State Prison for the ensuing political year ; and Lawson Coolidge was elected.

On motion of Mr. Ayer of the House—

The Convention rose and the Senate returned to their Chamber.

IN SENATE.

The Senate proceeded to the order of the day on the bill entitled "An act to provide for the choice of Road Commissioners,"

Which was read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Renton, from the committee on Incorporations, to whom was referred the bill entitled "An act to incorporate the Nashua Literary Institution," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

On motion of Mr. Nettleton—

The Senate resumed the consideration of the resolution, received from the House of Representatives for concurrence, fixing Saturday the twentieth day of June instant for the close of the present session."

On motion of Mr Goodhue—

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

" Mr. President—The House of Representatives have passed bills and resolutions with the following titles, in which they ask the concurrence of the Honorable Senate :

"An act to constitute the forty-second regiment of the New Hampshire Militia."

"An act to repeal an act to incorporate certain persons by the name of the proprietors of the Ossipee Bridge."

"An act to sever part of the farm of Daniel McNeil from the town of Alton and annex the same to the town of Barnstead."

"An act providing for the compensation of the officers of the civil list."

"A resolution directing the Secretary of State to procure the printing of the public acts and resolves in the Granite State Democrat."

"A resolution authorizing and directing the Treasurer of the State to collect the amount due the State on the bond of Jasper Elkins and others."

"A resolution making an appropriation for the erection of an arsenal in the town of Lancaster."

The House of Representatives concur with the Honorable Senate in the passage of the resolution rescinding the special order of the day fixing upon a time for the election of an United States Senator."

The first of the foregoing bills, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The second of said bills was read a first and second time.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

The third of said bills was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

The fourth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The first of the foregoing resolutions, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The second of said resolutions was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The third of said resolutions was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

On motion of Mr. Adams—

The Senate adjourned.

SATURDAY, JUNE 13, 1840.

The Senate proceeded to the order of the day on the bill entitled "An act to incorporate the Nashua Literary Institution."

Which was read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Comerford—

Resolved, That when the Senate adjourn this afternoon, it be to meet again on Monday next at three o'clock in the afternoon.

On motion of Mr. Nutter—

The Senate adjourned.

MONDAY, JUNE 15, 1840.

Mr. Gregg from the committee to whom was referred the resolution directing the Secretary of State to procure the publication of the public acts and resolves in the Granite State Democrat, reported it without amendment.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Renton, from the committee on Incorporations to whom was referred the bill entitled "An act to disannex the farm owned in common by Ezra Eastman and Samuel Osgood from Gilmanston, in the County of Strafford, and annex the same to Gilford in said county," made a report—

Whereupon—

Resolved, That the further consideration of said bill be postponed to the next session of the Legislature, and that the parties interested cause the same to be published in the New Hampshire Patriot and State Gazette three weeks in succession, the last publication to be prior to the first day of November next.

Mr. Goodhue, from the committee on Claims to whom was referred the resolution authorizing and directing the Treasurer of this State to collect the amount due the State on the bond of Jasper Elkins and others, reported it without amendment.

On the question, shall this resolution be read a third time ?
It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Goodhue, from the same committee to whom was referred the bill entitled "An act providing for the compensation of the officers of the civil list," reported it without amendment.

On the question, shall this bill be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Nettleton, from the committee on Roads, Bridges and Canals to whom was referred the bill entitled "An act to repeal an act to incorporate certain persons by the name of the proprietors of the Ossipee Bridge," reported it without amendment.

On the question, shall this bill be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Johnson, from the committee on Military Affairs to whom was referred the bill entitled "An act to constitute the forty-second Regiment of New Hampshire Militia reported it without amendment.

On the question, shall this bill be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Renton, from the committee on Incorporations to whom was referred the bill entitled "An act to sever part of the farm of Daniel McNeil from the town of Alton and annex the same to the town of Barnstead," reported it without amendment.

On the question, shall this bill be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Johnson, from the committee on Military Affairs to whom was referred the resolution making an appropriation for the erection of an Arsenal at Lancaster, reported it without amendment.

On the question, shall this resolution be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

On motion of Mr. Brown—
The Senate adjourned.

TUESDAY, JUNE 16, 1840.

A message from the House of Representatives by their Clerk :

“ Mr. President—The House of Representatives have passed bills and resolutions with the following titles, in which they ask the concurrence of the Honorable Senate :

“ An act in addition to an act entitled an act in addition to an act to incorporate the Eastern Rail Road in New Hampshire.”

“ An act in favor of the Fitzwilliam Artillery Company.”

“ An act allowing to the first company of Light Infantry in the sixth Regiment New Hampshire Militia an additional number of arms.”

“ An act to incorporate the Miller Guards.”

“ A resolution in favor of William McIntire.”

“ An act to incorporate School District No. 12, in Warner.”

“ An act authorizing an increase of the members of Engine Company No. 1, in Claremont.”

“ An act to change the name of the town of Peeling to Woodstock.”

“ A resolution in favor of Josiah Stevens, jr., and others.”

“ A resolution making an appropriation for the education of indigent deaf and dumb and blind persons of this State.”

The first of the foregoing bills, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

The second of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The third of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The fourth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The fifth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

The sixth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The seventh of said bills was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

The first of the foregoing resolutions, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The second of said resolutions was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The third of said resolutions was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The Senate proceeded to the order of the day on bills and a resolution with the following titles :

"A resolution making an appropriation for the erection of an Arsenal at Lancaster."

"An act providing for the compensation of the officers of the civil list."

"An act to repeal an act to incorporate certain persons by the name of the proprietors of the Osagee Bridge."

"An act to constitute the forty-second regiment of New Hampshire Militia."

Which were severally read a third time.

Resolved, That they pass and their titles be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Renton, from the committee on Incorporations to whom was referred the bill entitled "An act in addition to an act entitled an act in addition to an act to incorporate the Eastern Rail Road in New Hampshire," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Gregg—

The Senate adjourned.

AFTERNOON.

The Senate proceeded to the order of the day on bills and resolutions with the following titles :

"An act in addition to an act entitled an act in addition to an act to incorporate the Eastern Rail Road in New Hampshire."

"An act to sever part of the farm of Daniel McNeil from the town of Alton and annex the same to the town of Barnstead."

"A resolution authorizing and directing the Treasurer of the State to collect the amount due the State on the bond of Jasper Elkins and others."

"A resolution directing the Secretary of State to procure the printing of the public acts and resolves in the Granite State Democrat."

Which were severally read a third time.

Resolved, That they pass and their titles be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Renton, from the committee on Incorporations, to whom was referred the bill entitled "An act to change the name of the town of Peeling to Woodstock," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Johnson, from the committee on Military Affairs to whom was referred the bill entitled "An act authorizing an increase of the members of Engine Company No. 1 in Claremont," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Johnson, from the same committee, to whom was referred the bill entitled "An act in favor of the Fitzwilliam Artillery Company," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Renton, from the committee on Incorporations, to whom was referred the bill entitled "An act to incorporate school district No. 12 in Warner," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

On motion of Mr. Adams—

The Senate adjourned.

WEDNESDAY, JUNE 17, 1840.

The Senate proceeded to the order of the day on bills with the following titles :

"An act authorizing an increase of the members of Engine Company No. 1, in Claremont."

"An act to change the name of the town of Peeling to Woodstock."

"An act in favor of the Fitzwilliam Artillery Company."

"An act to incorporate School District No. 12, in Warner."

Which were severally read a third time.

Resolved, That they pass and their titles be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed a bill entitled "An act to incorporate certain persons by the name of the Hopkinton Village Aqueduct Association," in which they ask the concurrence of the Honorable Senate."

The foregoing bill sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

Mr. Johnson, from the committee on Military Affairs, to whom was referred the bill entitled "An act allowing to the first company of Light Infantry in the sixth regiment New Hampshire mili-

tia an additional number of arms," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Gregg, from the committee on the Judiciary, to whom was referred the resolution making an appropriation for the education of indigent deaf, dumb and blind persons belonging to this State, reported it without amendment.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Nutter—

The Senate adjourned.

AFTERNOON.

The Senate proceeded to the order of the day on the following bill and resolution:

"An act allowing to the first company of Light Infantry in the sixth Regiment New Hampshire Militia an additional number of arms."

"A resolution making an appropriation for the education of indigent deaf, dumb and blind persons belonging to this State."

Which were severally read a third time.

Resolved, That they pass and their titles be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Johnson, from the committee on Military Affairs, to whom was referred the bill entitled "An act to incorporate the Miller Guards," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the passage of the bill entitled "An act to exempt the town of Newington from the operation of the provisions of the first section of an act providing for the division of towns into school districts, and for the alteration of the limits of school districts in certain cases, passed July 6, 1839."

The House of Representatives have passed bills with the following titles, in which they ask the concurrence of the Honorable Senate :

"An act to amend the laws regulating divorces."

"An act making appropriations for the militia of this State for the year 1840."

The first of the foregoing bills, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The second of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

Mr. Goodhue from the committee on Claims, to whom was referred the resolution in favor of William McIntire, reported it without amendment.

On the question, shall this resolution be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Goodhue, from the same committee, to whom was referred the resolution in favor of Josiah Stevens, jr. and others, reported it without amendment.

On the question, shall this resolution be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

On motion of Mr. Comerford—

The Senate adjourned.

THURSDAY, JUNE 18, 1840.

The Senate proceeded to the order of the day on the bill entitled "An act to incorporate the Miller Guards"—

Which was read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the following resolutions :

"A resolution in favor of William McIntire."

"A resolution in favor of Josiah Stevens, jr., and others."

Which were severally read a third time.

Resolved, That they pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Johnson, from the committee on Military Affairs, to whom was referred the bill entitled "An act making appropriations for the militia of this State, for the year 1840," reported it without amendment.

On the question, shall this bill be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Gregg, from the committee on the Judiciary to whom was referred the bill entitled "An act to amend the laws regulating divorces," reported it without amendment.

On the question, shall this bill be read a third time ?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Brown—

The Senate adjourned.

AFTERNOON.

The Senate proceeded to to the order of the day on the bill

entitled "An act making appropriations for the militia of this State for the year 1840."

Which was read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill entitled "An act to amend the laws regulating divorces"—

Which was read a third time.

Mr. Brown moved that the further consideration of said bill be postponed to the next session of the Legislature.

Mr. Gregg demanded the yeas and nays on that motion:

On motion of Mr. Comerford—

Ordered, That it lie upon the table.

Mr. Gregg, from the committee on the Judiciary to whom was referred so much of the Governor's message as relates to the abolition of imprisonment for debt, made a report,

Whereupon—

Resolved, That the further consideration thereof be postponed to the next session of the Legislature.

Mr. Gregg, from the select committee to whom was referred so much of the Governor's message as relates to a Geological Survey of this State, made a report,

Whereupon—

Resolved, That the further consideration thereof be postponed to the next session of the Legislature.

Mr. Renton, from the committee on Incorporations to whom was referred the bill entitled "An act to incorporate certain persons by the name of the Hopkinton Village Aqueduct Association," reported it without amendment.

Mr. Brown moved to amend the bill by striking out the word "otherwise" in the second line of the second section thereof, and inserting instead thereof the word "donation."

On the question, shall this amendment be adopted?

It was decided in the negative.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

On motion of Mr. Goodhue—

Resolved, That the Senate have a recess until half past four o'clock this afternoon.

HALF PAST FOUR O'CLOCK.

Mr. Nettleton, from the joint select committee appointed to wait upon Josiah Stevens, jr. and inform him of his election as Secretary of State, Zenas Clement, and inform him of his election as Treasurer, and Theodore F. Rowe, and inform him of his election as Commissary General, for the ensuing year, reported that they had attended to the duty assigned them; that those gentlemen respectively had signified their acceptance of the several offices to which they had been elected and had furnished the requisite bonds.

On motion of Mr. Comerford—

The Senate resumed the consideration of the bill entitled "An act to amend the laws regulating divorces."

Mr. Brown withdrew the motion to postpone the further consideration thereof to the next session of the Legislature.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Gregg—

The Senate adjourned.

FRIDAY, JUNE 19, 1840.

Mr. Goodhue, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed bills and resolutions with the following titles:

"An act allowing to the fourth company of Infantry in the thirty-first regiment an additional number of State arms."

"An act to repeal an act entitled an act in addition to and in amendment of an act directing the mode of choosing and appointing Electors of President and Vice President of the United States approved January 7, 1837."

"An act in addition to an act entitled an act in addition to an act to incorporate the Eastern Rail Road in New Hampshire."

"An act to sever a part of the farm of Daniel McNeil from the town of Alton and annex the same to the town of Barnstead."

"An act to repeal an act to incorporate certain persons by the name of the proprietors of Ossipee Bridge."

"An act providing for the compensation of the officers of the civil list."

"An act to constitute the forty-second regiment of New Hampshire militia."

"An act to change the name of the town of Peeling to Woodstock."

"An act authorizing an increase of the members of Engine Company No. 1 in Claremont."

"A resolution authorizing the erection of an arsenal in the town of Lancaster."

"A resolution directing the Secretary of State to procure the printing of the public acts and resolves in the Granite State Democrat."

"A resolution directing the Treasurer of State to collect the amount due the State on the bond of Jasper Elkins and others."

A message was received from the House of Representatives giving information that the Speaker of that body had signed the foregoing bills and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bills and resolutions, and the same were delivered to the committee on Engrossed Bills to be laid before the Governor for his approval and signature.

Mr. Goodhue, from said committee, reported that they had this day presented the aforesaid bills and resolutions, by them reported as correctly engrossed, to His Excellency the Governor for his approval.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a resolution authorizing the Treasurer to borrow money on the credit and for the use of the State, in which they ask the concurrence of the Honorable Senate.

They have appointed Messrs. Wilson of Keene, Smith of Lempster and Fellows of Hanover, with such as the Senate may join, a committee to wait upon Lawson Coolidge, inform him of his election to the office of Warden of the State Prison for the ensuing year, and if he accept the office to which he has been elected, to receive from him the necessary bonds, and to inform the Governor of said appointment.

The House of Representatives have passed bills with the following titles, in which they ask the concurrence of the Honorable Senate :

“An act in addition to an act to incorporate the New Hampshire Asylum for the Insane.”

“An act providing for the return of inventories.”

On motion of Mr. Johnson—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to notify Lawson Coolidge of his election as Warden of the State Prison.

Ordered, That Mr. Renton be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

The first of the foregoing bills, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

The second of said bills was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The foregoing resolutions, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Claims.

On motion of Mr. Gregg—

Resolved, That the rules of the Senate be so amended, that when a bill or resolution has been ordered to a third reading, it shall immediately be read a third time, unless otherwise ordered by the Senate.

Mr. Renton, from the joint select committee appointed to wait upon Lawson Coolidge, inform him of his election as Warden of the State Prison, and if he accepted the office, to receive from him the necessary bonds, and to inform the Governor of his appointment, reported that they had attended to the duties assigned them, that Mr. Coolidge had accepted the office and furnished satisfactory bonds, and that they had informed the Governor of his appointment.

Mr. Gregg, from the committee on the Judiciary, to whom was referred the bill entitled “An act providing for the return of inventories,” reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill entitled "An act to incorporate certain persons by the name of the Hopkinton Village Aqueduct Association"—

Which was read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Gregg, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, bills and resolutions with the following titles :

"An act making appropriations for the militia of this State for the year 1840."

"An act to exempt the town of Newington from the operation of the provisions of the first section of an act providing for the division of towns into school districts and for the alteration of the limits of school districts in certain cases, passed July 6, 1839."

"An act to incorporate School District No. 12 in Warner."

"An act in favor of the Fitzwilliam Artillery Company."

"An act allowing to the first company of Light Infantry in the 6th regiment N. H. militia an additional number of arms."

"An act to incorporate the Miller Guards."

"An act to amend the laws regulating divorces."

"A resolution in favor of William McIntire."

"A resolution in favor of Josiah Stevens, jr. and others."

"A resolution appropriating fifteen hundred dollars for the education of indigent deaf and dumb persons at the Asylum at Hartford, and one thousand dollars for the education of indigent blind and partially blind persons at the Institution for the Blind at Boston."

A message was received from the House of Representatives giving information that the Speaker of that body had signed the foregoing bills and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bills and resolutions, and the same were delivered to the committee on

Engrossed Bills to be laid before the Governor for his approval and signature.

Mr. Gregg, from said committee, reported that they had this day presented the aforesaid bills and resolutions, by them reported as correctly engrossed, to His Excellency the Governor for his approval.

On motion of Mr. Belding—

Resolved, That when the Senate adjourn this forenoon, it be to meet again at two o'clock this afternoon.

Mr. Goodhue, from the committee on Claims to whom was referred the resolution authorizing the Treasurer of this State to borrow money on the credit and for the use of the State, reported it without amendment.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed bills and resolutions and an address, with the following titles, in which they ask the concurrence of the Honorable Senate :

“An act in amendment of an act entitled an act in addition to an act entitled an act for laying out highways, passed July 3, 1829.”

“An address in favor of the removal of certain military officers.

“An act to establish times and places for holding Courts of Probate in the county of Coos.”

“An act in favor of Charles H. Peaslee, Adjutant and Inspector General.”

“A resolution in favor of Robert Davis.”

“A resolution in favor of Jeremiah Gates and others.”

“A resolution in favor of David H. Collins and others.”

The first of the foregoing bills, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

The second of said bills was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The third of said bills was read a first and second time.

On motion of Mr. Johnson—

Resolved, That the rules of the Senate be so far suspended that this bill be read a third time at the present time.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The foregoing address in favor of the removal of certain military officers, sent up from the House of Representatives for concurrence, having been read—

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

The resolution in favor of Robert Davis, sent up from the House of Representatives for concurrence, was read a first and second time.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time?

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

The foregoing resolution, in favor of Jeremiah Gates and others, sent up from the House of Representatives for concurrence, was read a first and second time.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

The foregoing resolution in favor of David H. Collins and others, sent up from the House of Representatives for concurrence, was read a first and second time.

On the question, Shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Goodhue—
The Senate adjourned.

AFTERNOON.

A message from the House of Representatives by their Clerk :
“ Mr. President—The House of Representatives have passed bills with the following titles, in which they ask the concurrence of the Honorable Senate:

“ An act relating to Rail Roads and other corporations.”

“ An act to abolish the right to vote by proxy.”

The first of the foregoing bills, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Incorporations.

The second of said bills was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

Mr. Gregg, from the committee on the Judiciary to whom was referred the bill entitled “ An act to establish times and places for holding Courts of Probate in the county of Coos,” reported it without amendment.

On the question, Shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Renton, from the committee on Incorporations to whom was referred the bill entitled “ An act in addition to an act entitled an act to incorporate the New Hampshire Asylum for the Insane,” reported it without amendment.

Mr. Renton proposed to amend the bill by striking out all thereof after the enacting clause, and inserting the following:

“ That the Treasurer of the New Hampshire Asylum for the Insane be and hereby is authorized, directed and required to convey to the State of New Hampshire the stock in the New Hampshire Bank heretofore by said State conveyed to said Asy-

lum, and pay over to the Treasurer of said State all dividends and profits that may have accrued and been received by said Asylum from said stock since its transfer to said Asylum; and the Treasurer of said Asylum is hereby further authorized, directed and required to refund to the several private contributors the several sums by them subscribed and paid towards the erection of said Asylum, with all interest that may have accrued on said sums, respectively.

SECT. 2. *Be it further enacted*, That the act entitled "An act to incorporate the New Hampshire Asylum for the Insane," passed July 2, 1838; also, the act entitled "An act in amendment to and explanatory of an act to incorporate the New Hampshire Asylum for the Insane," passed July 6, 1839, be and the same are hereby repealed."

Mr. Gregg moved that the further consideration of the bill and amendment be postponed to the next session of the Legislature.

On the question, Shall the further consideration of the bill and amendment be postponed to the next session of the Legislature?

Mr. Pickering demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Gregg, Comerford, Brown, Goodhue, and Johnson—5.

Those who voted in the negative were Messrs. Pickering, Creighton, Renton, Nutter, Adams, Belding and Nettleton—7.

So the Senate refused to postpone the further consideration of the bill and amendment to the next session of the Legislature.

The question then recurred on the adoption of the amendment proposed by Mr. Renton.

On the question, Shall this amendment be adopted?

Mr. Adams demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Renton, Nutter, Comerford, Nettleton and Johnson—5.

Those who voted in the negative were Messrs. Pickering, Creighton, Gregg, Adams, Brown, Belding and Goodhue—7.

So the amendment was rejected.

Mr. Johnson proposed to amend the bill by striking out the fifth and sixth sections thereof.

On the question, Shall this amendment be adopted?

Mr. Pickering demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Renton, Comerford, Brown, Nettleton, Goodhue and Johnson—6.

Those who voted in the negative were Messrs. Pickering, Creighton, Gregg, Nutter, Adams and Belding—6.

So the amendment was rejected;

Mr. Gregg moved that the further consideration of the bill be postponed to the next session of the Legislature.

On motion of Mr. Pickering—

Ordered, That the bill lie upon the table.

On motion of Mr. Gregg—

The Senate resumed the consideration of the bill entitled "An act in addition to an act entitled an act to incorporate the New Hampshire Asylum for the Insane."

Mr. Gregg withdrew the motion to postpone the further consideration of the bill to the next session of the Legislature.

On motion of Mr. Gregg who had voted on the side prevailing—

Resolved, That the vote rejecting the amendment to said bill proposed by Mr. Johnson, striking out the fifth and sixth sections thereof, be re-considered.

The question then recurring on the adoption of the amendment proposed by Mr. Johnson—

Mr. Adams demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Gregg, Renton, Nutter, Comerford, Brown, Nettleton, Goodhue and Johnson—8.

Those who voted in the negative were Messrs. Pickering, Creighton, Adams, and Belding—4.

So the amendment was adopted.

On the question, Shall this bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Adams—

Resolved, That the rules of the Senate be so far suspended that the bill be read a third time by its title.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid;

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Nettleton, from the committee on Roads, Bridges and Canals to whom was referred the bill entitled "An act in amendment of an act entitled an act in addition to an act entitled an act for laying out highways, passed July 3, 1829," reported it without amendment.

On the question, Shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Renton, from the committee on Incorporations to whom was referred the bill entitled "An act relating to Rail Roads and other corporations," reported it with an amendment.

Mr. Adams moved that the further consideration of the bill and amendment be postponed to the next session of the Legislature—

Which was decided in the negative.

On motion of Mr. Pickering—

Ordered, That the bill and report be re-committed to the committee on Incorporations.

A message from the House of Representatives by their Clerk :

"Mr. President,—The House of Representatives have passed bills and resolutions, with the following titles, in which they ask the concurrence of the Honorable Senate:

"An act to annex a certain tract of land in the town of Landaff to School District No. 2 in the town of Lincoln."

"An act in favor of the Strafford Guards."

"An act in favor of the Nashua Artillery Company."

"An act to alter the names of certain persons."

"An act in favor of the Portsmouth Artillery Company in the first regiment N. H. militia."

"An act to repeal an act entitled an act to incorporate the proprietors of the Coventry Turnpike Road in New Hampshire."

"An act in amendment of an act entitled an act for the limitation of actions and preventing vexatious suits."

"An act suspending for a limited time the operation of an act entitled an act prohibiting the emission and circulation of bank bills of a small denomination, passed January 13, 1837."

"An act to incorporate Engine Company No. 4 in Concord."

"An act to extend the time for the completion of the Sewalls Falls Locks and Canal."

"A resolution relating to school returns."

"A resolution appointing William Fiske to take charge of the State House and State House Yard the ensuing year."

"A resolution appointing Jacob C. Carter Librarian for the ensuing year."

"A resolution authorizing the Librarian to procure the binding of certain books and pamphlets now in the State Library."

"A resolution in favor of John T. Blake."

"A resolution providing for the revising, codifying and amending of the statute laws of New Hampshire."

"A resolution in favor of John C. Gerish."

"A resolution respecting blanks, packages, laws and journals sent from the Secretary's Office."

The first of the foregoing bills, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Education;

The second of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The third of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The fourth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The fifth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The sixth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

The seventh of said bills was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary;

The eighth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Banks.

The ninth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The tenth of said bills was read a first and second time.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

The first of the foregoing resolutions, sent up from the House of Representatives for concurrence, was read a first and second time.

Ordered, That it be referred to the committee on Education.

The second of said resolutions was read a first and second time.

On motion of Mr. Goodhue—

Resolved, That the rules of the Senate be so far suspended that this resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

The third of said resolutions was read a first and second time.

Ordered, That it be referred to the joint committee on the Library.

The fourth of said resolutions was read a first and second time.

Ordered, That it be referred to the joint committee on the Library.

The fifth of said resolutions was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The sixth of said resolutions was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The seventh of said resolutions was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The eighth of said resolutions was read a first and second time.

On motion of Mr. Goodhue—

Ordered, That it lie upon the table.

Mr. Johnson, from the committee on Military Affairs to whom was referred the bill entitled "An act in favor of the Portsmouth Artillery Company in the first regiment New Hampshire Militia," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Johnson, from the committee on Military Affairs to whom was referred the bill entitled "An act in favor of the Nashua Artillery Company," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives concur with the Honorable Senate in their amendment to the bill entitled "An act in addition to an act entitled an act to incorporate the New Hampshire Asylum for the Insane."

Mr. Johnson, from the committee on Military affairs to whom was referred the bill entitled "An act in favor of the Strafford Guards," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Johnson, from the committee on Military Affairs to whom was referred the bill entitled "An act to incorporate Engine Company No. 4 in Concord," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Renton, from the committee on Incorporations to whom was re-committed the bill entitled "An act relating to Railroads and other corporations," reported it without amendment.

Mr. Belding moved that the further consideration of said bill be postponed to the next session of the Legislature—

Which was decided in the negative.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid;

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Adams, from the committee on Education to whom was referred the bill entitled "An act to annex a certain tract of land in the town of Landaff to school district numbered two in the town of Lincoln," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Pickering, from the Committee on Banks to whom was referred the bill entitled "An act suspending for a limited time the operation of an act entitled an act prohibiting the emission and circulation of bank bills of a small denomination, passed January 13, 1837," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

On the question, shall this bill pass?

Mr. Gregg demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Creighton, Renton, Nutter, Comerford, Adams, Brown, Belding, Nettleton and Goodhue—9.

Those who voted in the negative were Messrs. Pickering and Gregg—2.

So the bill passed.

Resolved, That its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Goodhue, from the committee on Claims to whom was referred the bill entitled "An act to alter the names of certain persons," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Johnson—

Resolved, That the rules of the Senate be so far suspended that this bill be read a third time by its title.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Goodhue, from the same committee to whom was referred the resolution in favor of John C. Gerrish, reported it with an amendment, striking out the words "*fifteen dollars and sixty cents*," and inserting instead thereof the words "*thirteen dollars*."

On the question, shall this amendment be adopted?

It was decided in the affirmative.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Gregg, from the committee on the Judiciary to whom was referred the bill entitled "An act in amendment of an act entitled an act for the limitation of actions and preventing vexatious suits," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Nettleton, from the committee on Roads, Bridges and Canals, to whom was referred the bill entitled "An act to extend the time for the completion of the Sewall's Falls Locks and Canal," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Nettleton, from the same committee to whom was referred the bill entitled "An act to repeal an act entitled an act to incorporate the proprietors of the Coventry Turnpike Road in New Hampshire," reported it without amendment.

On the question, shall this bill be read a third time?

It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Goodhue—

The Senate resumed the consideration of the resolution respecting blanks, packages, laws and journals sent from the Secretary's office.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

“ Mr. President—The House of Representatives concur with the Honorable Senate in the passage of the bill entitled “An act to incorporate the Nashua Literary Institution.”

They also concur with the Honorable Senate in the passage of the bill entitled “An act to provide for the choice of Road Commissioners,” with an amendment, in which they ask the concurrence of the Honorable Senate.

The House of Representative have passed a resolution that when the Legislature close their present session, they adjourn to meet again on Wednesday the eighteenth day of November next; in which they ask the concurrence of the Honorable Senate.”

The Senate proceeded to the consideration of the amendment proposed by the House of Representatives to the bill entitled “An act to provide for the choice of Road Commissioners.”

Resolved, That the Senate concur with the House of Representatives in the adoption of said amendment.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Gregg—

Resolved, That the Senate have a recess until half past seven o'clock this evening.

HALF PAST SEVEN O'CLOCK.

Mr. Adams, from the committee on Education to whom was referred the resolution relating to school returns, reported it without amendment.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

On motion of Mr. Pickering—

Resolved, That the further consideration of said resolution be postponed to the next session of the Legislature.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Adams, from the joint committee on the Library, to whom was referred the resolution appointing Jacob C. Carter Librarian for the ensuing year, reported it without amendment.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Adams, from the same committee to whom was referred the resolution authorizing the Librarian to procure the binding of certain books and pamphlets in the State Library, reported it without amendment.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time?

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

“Mr. President—The House of Representatives have passed the following resolution in which they ask the concurrence of the Honorable Senate :

“A resolution in favor of J. B. Wiggin.”

“A resolution in favor of Philip Carrigain.”

The first of the foregoing resolutions, sent up from the House of Representatives for concurrence, was read a first and second time.

On motion of Mr. Pickering—

Resolved, That the rules of the Senate be so far suspended that the bill be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

The second of said resolutions was read a first and second time.

On motion of Mr. Pickering—

Resolved, That the rules of the Senate be so far suspended, that this resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in their amendment to the resolution in favor of John C. Gerrish."

Mr. Gregg, from the committee on the Judiciary to whom was referred the resolution providing for the revising, codifying and amending of the statute laws of New Hampshire, reported it without amendment.

On the question, shall this resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Brown, from the committee on Claims to whom was referred the resolution in favor of John T. Blake, reported it without amendment.

On the question shall this resolution be read a third time.

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Gregg, from the committee on the Judiciary to whom was referred the bill entitled "An act to abolish the right to vote by proxy," reported the same accompanied by the following resolution:

Resolved, That the further consideration of said bill be postponed to the next session of the Legislature.

On the question, shall this resolution pass?

Mr. Nutter demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Creighton, Gregg, Renton, Comerford, Adams, Brown, Belding Nettleton and Johnson—9.

Those who voted in the negative were Messrs. Pickering, and Nutter—2.

So the resolution passed and the further consideration of said bill was postponed to the next session of the Legislature.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the consideration of the resolution, sent up from the House of Representatives for concurrence, fixing Wednesday the eighteenth day of November next as the day to which the Legislature shall adjourn at the close of the present session,

Which was read a first and second time.

On motion of Mr. Gregg—

Resolved, That the rules of the Senate be so far suspended that this resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

“ Mr. President—The House of Representatives have passed a resolution in favor of N. Bouton and others, in which they ask the concurrence of the Honorable Senate.”

The foregoing bill, sent up from the House of Representatives for concurrence, was read a first and second time.

On motion of Mr. Gregg—

Resolved, That the rules of the Senate be so far suspended, that this resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

The following resolution, laid on the table by Mr. Johnson, was read by the Clerk and unanimously adopted :

Resolved, That the Senate tender their thanks to the Hon. James B. Creighton for the impartial discharge of the duties of President by him during the present session.

To which the President replied :

SENATORS :

At the commencement of our session, finding myself raised to this high and responsible station, I deeply regretted my want of

qualifications necessary to the proper performance of its duties ; but, relying on your aid and support, I entered upon those duties with a confident hope of rendering my services in some degree acceptable ; and having so far succeeded as to elicit the expression of your approbation as contained in the resolution which you have so generously adopted, is to me a source of satisfaction surpassed only by a consciousness of having endeavored, to the utmost of my abilities, to perform the duties of the station uprightly and impartially.

Permit me to return you my sincere thanks for the uniform courtesy, kindness and support which has at all times and on all occasions been extended towards me by each and every member of this body, and to assure you that it is with the utmost pleasure that I bear witness to the prompt attention which has been given by each and every member of this House to the public business which has been presented for your consideration and action.

Be pleased, Senators, to accept my best wishes for your safe and joyous return to your families—for your present and future prosperity and happiness, and that we may be permitted again to assemble, at the time to which the Legislature may be adjourned, fully prepared to enter upon our public duties."

On motion of Mr. Gregg—

Resolved, That when the Senate adjourn this evening, it be to meet again to-morrow at five o'clock in the morning.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed a bill entitled "An act to abrogate the right to vote by proxy in certain cases," in which they ask the concurrence of the Honorable Senate."

The foregoing bill, sent up from the House of Representatives for concurrence, was read a first time.

Mr. Gregg moved that it lie upon the table.

On the question, shall this bill lie upon the table?

Mr. Gregg demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Creighton, Gregg, Adams, Brown, Belding and Goodhue—6.

Those who voted in the negative were Messrs. Pickering, Renton, Nutter, Comerford, Netleton and Johnson—6.

So the motion to lay the bill upon the table did not prevail.

The bill was then read a second time.

Mr. Adams moved that the further consideration of the bill be postponed to the next session of the Legislature—

Which was decided in the negative.

On motion of Mr. Johnson—

Resolved, That the rules of the Senate be so far suspended that this bill be read a third time at the present time.

Said bill was accordingly read a third time.

On the question, shall this bill pass?

Mr. Nutter demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Pickering, Renton, Nutter, Comerford, Nettleton, and Johnson—6.

Those who voted in the negative were Messrs. Creighton, Gregg, Adams, Brown, Belding and Goodhue—6.

So the bill was rejected.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Goodhue, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed bills and resolutions and an address with the following titles:

“An act providing for the return of inventories.”

“An act to incorporate certain persons by the name of the Hopkinton Village Aqueduct Association.”

“An act in favor of Charles H. Peaslee, Adjutant and Inspector General.”

“An act to establish times and places for holding Courts of Probate in the county of Coos.”

“A resolution directing the payment of money into the Treasury by Robert Davis, late Quarter Master General.”

“A resolution in favor of Jeremiah Gates and others.”

“A resolution authorizing the Treasurer of this State to borrow money on the credit and for the use of the State.”

“A resolution in favor of David H. Collins and others.”

“An address for the removal of certain military officers.”

A message was received from the House of Representatives giving information that the Speaker of that body had signed the foregoing bills resolutions, and addresses reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bills, resolutions, and addresses, and the same were delivered to the committee on Engrossed Bills to be laid before the Governor for his approval and signature.

Mr. Goodhue, from said committee, reported that they had this evening presented the aforesaid bills resolutions and addresses, by them reported as correctly engrossed, to His Excellency the Governor for his approval.

Mr. Gregg, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed the bill entitled "An act in addition to an act entitled an act to incorporate the New Hampshire Asylum for the Insane."

A message was received from the House of Representatives giving information that the Speaker of that body had signed the foregoing bill, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay it before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bill and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Goodhue, from said committee, reported that they had this evening presented the aforesaid bill, by them reported as correctly engrossed, to His Excellency the Governor for his approval.

Mr. Pickering moved a reconsideration of the vote rejecting the bill entitled "An act to abrogate the right to vote by proxy in certain cases."

On the question, will the Senate reconsider the vote rejecting said bill?

Mr. Belding demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Pickering, Renton, Nutter, Comerford, Nettleton and Johnson—6.

Those who voted in the negative were Messrs. Creighton, Gregg, Adams, Brown, Belding and Goodhue—6.

So the motion to reconsider did not prevail.

On motion of Mr. Pickering—

The Senate adjourned.

SATURDAY, JUNE 20, 1840.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have appointed Messrs. Hoit of Bridgewater, Moore of Milford, Blodgett, Spaulding, George of Plaistow, Ames, Wedgewood, Bixby, Ferrin and Batchelder of Marlborough, with such as the Senate may join, a committee to wait upon His Excellency the Governor and inform him that the business of the present session being finished, both branches of the Legislature are now ready to be adjourned to Wednesday the eighteenth day of November next ; in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Goodhue—

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to inform the Governor of the readiness of the Legislature to adjourn.

Ordered, That Messrs. Gregg and Goodhue be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Gregg, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, bills and resolutions with the following titles :

"An act relating to Rail Roads and other corporations."

"An act to alter the names of certain persons."

"An act in amendment of an act entitled an act in addition to an act entitled an act for laying out highways, passed July 3, 1829."

"An act in favor of the Portsmouth Artillery Company in the first regiment N. H. militia."

"An act to incorporate the Nashua Literary Institution."

"An act to annex a certain tract of land in the town of Landaff to School District No. 2 in the town of Lincoln."

"An act to extend the time for the completion of the Sewalls Falls Locks and Canal."

"An act in favor of the Strafford Guards."

"An act suspending for a limited time the operation of an act entitled an act prohibiting the emission and circulation of bank bills of a small denomination, passed January 13, 1837."

"An act to repeal an act entitled an act to incorporate the proprietors of the Coventry Turnpike Road in New Hampshire."

"An act in favor of the Nashua Artillery Company."

"An act to incorporate Engine Company No. 4 in Concord."

"An act to provide for the choice of Road Commissioners."

"An act in amendment of an act entitled an act for the limitation of actions and preventing vexatious suits."

"A resolution requiring the Librarian to procure the binding of such books and pamphlets in the State Library, as may be worthy of preservation."

"A resolution appointing Jacob C. Carter Librarian."

"A resolution in favor of Philip Carrigain."

"A resolution in favor of John C. Gerrish."

"A resolution appointing William Fiske to take charge of the State House and State House Yard."

"A resolution directing the mode in which the Secretary of State shall forward blanks, &c. to the several towns."

"A resolution in favor of Rev. N. Bouton and others."

"A resolution in favor of J. B. Wiggin."

"A resolution in favor of John T. Blake."

"A resolution directing the Governor to appoint three persons to revise, codify and amend the statute laws of New Hampshire."

"A resolution fixing Wednesday the eighteenth day of November next as the day to which the Legislature shall adjourn at the close of the present session."

A message was received from the House of Representatives giving information that the Speaker of that body had signed the foregoing bills and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bills and resolutions, and the same were delivered to the committee on Engrossed Bills to be laid before the Governor for his approval and signature.

Mr. Gregg, from said committee, reported that they had this day presented the aforesaid bills and resolutions, by them reported as correctly engrossed, to His Excellency the Governor for his approval.

Mr. Gregg, from the joint select committee appointed to wait on His Excellency the Governor and inform him of the readiness

of the Legislature to adjourn to Wednesday the eighteenth day of November next, reported that they had attended to the duty assigned them.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State :

“Mr. President—I am directed by His Excellency the Governor, to inform the Honorable Senate that he has signed all the bills, resolutions and an address, which have been presented for his approbation during the present session, and that agreeably to the resolution of the two Houses, and their request as expressed to him by their committee, he now adjourns the General Court to Wednesday the eighteenth day of November next, then to meet at the Capitol in Concord.”

The President then declared the Senate adjourned to Wednesday, the eighteenth day of November next.

Attest—

ASA FOWLER, *Clerk.*

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